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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,318	09/26/2001	Andrew W. Jacobs	13768.214	9927

47973 7590 11/23/2004

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EXAMINER

SHAH, KAMINI S

ART UNIT PAPER NUMBER

2142

DATE MAILED: 11/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/964,318

Applicant(s)

JACOBS ET AL.

Examiner

Kamini S Shah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/10/04 (IDS).
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/04, 11/01.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-32 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6,477,565 to Daswani et al.

3. Regarding to claimed invention (claims 1, 8, 17, and 24), Daswani et al teaches a method and apparatus including a plurality of devices interconnect able over multiple wireless network, see figure 2, each having different communication protocol such as cellular network for appliances 39 and 43, wireless Internet service using cellular for appliances 39, see col. 6, lines 22-26. Daswani et al disclose Data center 37 as claimed receiving device. The claimed method for managing incoming object transfers from one or more devices, Daswani discloses server 33 including SW 51 for providing enablement of a unique data-gathering and tunneling service see col. 6, lines 55-60, and on col. 7, lines 32-40, Daswani discloses the claimed step for receiving object transferred from devices in Data center 37 processing request from network 13 and forward them to main server 33 wherein data center provides communication and interface capability with various portable appliances. Furthermore, the claimed step for storing each object in a temporary storage, Daswani discloses queuing ready request for execution by SW 51 according to on-demand or by schedule fashion, and further

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locates the data according to site logic provided in the scripted template, see col. 8, lines 1-8. Regarding to claimed step for each object in temporary storage, a step of promoting user to accept or reject such as how to process or handle object, Daswani discloses parsing of identified location of data (i.e. located data) for specified content and funneling the collected data back to aggregation for storage under a user-specified ID parameters, see col. 8, lines 56-60. Regarding to claimed step for storing accepted object and deleting rejected object, Daswani discloses component layer 55 including an interfacing data center as data center 37, an output templates containing device specific data that is ready for transmission to target devices, which may be held for requesting users at a storage facility held in data center or pushed back to requesting users based on original request, see col. 10, lines 25-36. Similarly, Daswani discloses component layer 57 for various network appliances and their associated transmission networks, see col. 10, lines 37-49.

Regarding claims 2, 3, 18, Daswani et al discloses output template which holds specific slots wherein data will be rendered, and works according to device and contains only usable data slots that may be presented on its associated device, see col. 9, lines 39-65.

Regarding claim 4, Daswani et al teaches layer 53 for all of the means and processes required for locating and parsing user-requested data according to site-specific scripting techniques see col. 8, lines 56-60.

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Regarding claim 5, Daswani et al teaches a temporary storage as a queue, such as a ready request is queued for execution by SW 51 according to on demand or in a scheduled fashion, see col. 8, lines 1-6.

Regarding claims 6, 7, Daswani et al teaches claimed step for parsing each object received over the one or more object transfer and act of extracting identifying information from each object, see col. 8, lines 56-60, as locating and parsing user-requested data according to site-specific scripting techniques and funneling the collected data back to aggregation for storage under a user-specific ID parameters.

Regarding claim 9, it is clear from the teaching of Daswani et al that only one object is being processed at a time and, such as data stored in aggregation is forwarded to layer 55 according to a pre-designed schedule for processing, see col. 8, lines 66-67.

Regarding claims 10-14 claims recites the similar subject matter as in claims 2-7 are rejected for the similar reasoning.

Regarding claims 15 and 16, Daswani et al discloses component layer 57 contains various network capable appliances and their associated transmission networks, all having remote connections to data center and has a powerful workstation shared by many users, see col. 10, lines 37-49.

Regarding claims 19-23, and 25-32 claims recites the similar subject matter as claims 2-7 and 9-15, and therefore rejected for similar reasoning.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daswani et al in view of Salo et al 6,609,148.

Regarding to claimed invention Daswani teaches a device that has one or more ports for receiving and transferring objects over one or more wireless networks that have different communication protocols see figure 2, each having different communication protocol such as cellular network for appliances 39 and 43, wireless Internet service using cellular for appliances 39, see col. 6, lines 22-26, a method for managing objects received from other devices without regard to which network the objects were transferred over and without regard to the different communication protocols of the networks, Daswani discloses server 33 including SW 51 for providing enablement of a unique data-gathering and tunneling service see col. 6, lines 55-60, the method

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comprising: receiving one object at a time over each of the one or more ports, wherein other object transfers are ignored or are postponed until a current object transfer is completed at each port, see col. 7, lines 32-40, Daswani discloses the claimed step for receiving object transferred from devices in Data center 37 processing request from network 13 and forward them to main server 33 wherein data center provides communication and interface capability with various portable appliances. Regarding to claimed step for each object in temporary storage, a step of promoting user to accept or reject such as how to process or handle object, Daswani discloses parsing of identified location of data (i.e. located data) for specified content and funneling the collected data back to aggregation for storage under a user-specified ID parameters, see col. 8, lines 56-60.

Daswani teaches the claimed invention as discussed, however does not notify a user that an object has been received via global prompt. Salo et al teaches *BSC/ MSC* Base station Controller/Mobile Switching Center 106 supervises manages and routes the calls between the remote access device 104, and login server LS 142 for providing centralized login site for all subscribers and provides the first level subscriber authentication and responds back to remote access devices 104 by sending message back for prompting the subscriber to supply login credentials and personal identification number. Furthermore, LS 12 determines the current match for the user see col. 8, lines 44-60 and col. 9, lines 14-66. Additionally, Salo et al teaches the remote access device 104 first communicates and sustains a session with a base BSC/MSC see col. 7, lines 35-48; detecting each received object at the device, wherein each received object is


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parsed. Therefore, it would have been obvious to one of the ordinary skill in the art to combine teaching of Salo et al into a system of Daswani et al for providing prompt messages to user for offering convenient and efficient access to a data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kamini S Shah whose telephone number is 571-272-2279. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack B Harvey can be reached on 571-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kamini S Shah
Primary Examiner
Art Unit 2142

kss